## **REMARKS**

While Applicants do not agree with the 112, first paragraph rejection raised in the Final Action of September 23, 2003, in order to expedite prosecution of the subject application, Applicants have amended independent claim 13 to clarify that the ions introduced are hydrogen ions introduced at a temperature and amount below that necessary to fracture solid bridges during energizing of the first substrate. Claim 17 has been amended to recite that the hydrogen is introduced below the diffusion temperature of hydrogen in the first substrate, and that the total amount of hydrogen is below that necessary to fracture solid bridges. New claims 21-28 have been added to further claim the amended subject matter of claims 13 and 17. Support for the amendment can be found on pages 8 and 9 of Applicants' specification. No new subject matter is introduced by this amendment.

Claims 16 and 20 have been amended to reflect the amendment of claims 13 and 17, from which they respectively depend.

Claims 19-20 have been amended to correct an inadvertent typographical error appearing in these claims as originally presented. This amendment changes their dependency so that these claims now properly depend from claim 18.

It is believed that the claims, as amended, obviate the 112, first paragraph rejection.

A continuation application is being filed to pursue claims similar to previously pending claims 13-20.

Form PTO-2038 in the amount of \$1,190.00 is enclosed for the Two-Month Extension and RCE Fees.

## HAYES SOLOWAY P.C.

130 W. CUSHING ST. TUCSON, AZ 85701 TEL. 520.882.7623 FAX. 520.882.7643

175 CANAL STREET MANCHESTER, NH 03101 TEL. 603.668.1400 FAX. 603.668.8567

Serial No. 09/777,513 Docket No. BREV 12370 CON3 Amendment C with RCE

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,

Norman P. Soloway Attorney for Applicant Reg. No. 24,315

•

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>February</u> 23, 2604, at Tucson, Arizona.

NPS:sb

HAYES SOLOWAY P.C.

130 W. CUSHING ST. TUCSON, AZ 85701 TEL. 520.882.7623 FAX. 520.882.7643

175 CANAL STREET MANCHESTER, NH 03101 TEL. 603.668.1400 FAX. 603.668.8567